

prepared to answer that question than I would.

SENATOR CHAMBERS: Madam President, rather than speak with Senator Matzke I would rather put Senator Wesely on the griddle. Senator Wesely, would you explain...oh, you heard the question that I asked? Thank you. I would like you to answer that and then I will continue, if necessary.

PRESIDENT ROBAK: Senator Wesely.

SENATOR WESELY: Well, we had a discussion in committee and I apologize for not being up here sooner. But we felt that we had not put into statute previously any specific language requiring the state to comply with the ADA. It's a federal law and the thought was that perhaps, obviously, we also...we need to comply anyway, it's a federal law. But, by putting it in statute, we were fearful about potential lawsuit repercussions and so the thought was we'll have to comply but putting it in statute may put us at a liability we may not want to take.

SENATOR CHAMBERS: Senator Wesely, liability with reference to what?

SENATOR WESELY: In terms of noncompliance. If, for instance, somebody felt that we had not fully complied with the ADA, we have to, the federal law requires us to, but the state statute may be an additional grounds on which to take action.

SENATOR CHAMBERS: Senator Wesely, do you feel that it might be a good idea to allow a state remedy for a person who may have suffered as a result of a violation of the ADA?

SENATOR WESELY: Well, that's a...that's a good point. We...obviously, that would be another option but they already have federal remedies and we had not, I think, previously in any other capacity taken that step so we were concerned. If we felt that that was something we wanted to do, it should be on a broader context than this isolated situation.

SENATOR CHAMBERS: Senator Wesely, do you agree with what the ADA states in terms of those opportunities and conveniences which ought to be made available to people who have disabilities?

SENATOR WESELY: Actually, Senator Chambers, I do support the